

ENTERED

January 31, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MICHAEL GARRETT,

Plaintiff,

VS.

LORIE DAVIS,

Defendant.

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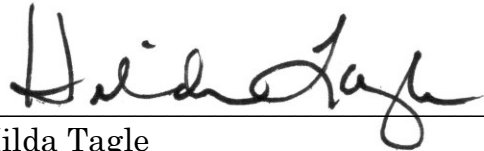
CIVIL NO. 2:17-CV-337

ORDER

On November 2, 2017, this Court dismissed Plaintiff's action because he is subject to the three-strikes rule. Dkt. No. 8. The Court has received Plaintiff's application to proceed *in forma pauperis* on appeal (Dkt. No. 15), the Memorandum and Recommendation ("M&R") of the Magistrate Judge to whom this case was referred (Dkt. No. 17), and Plaintiff's objections to the M&R (Dkt. No. 18).¹

After independently reviewing the record and applicable law, the Court **ADOPTS** the Magistrate Judge's M&R (Dkt. No. 17) and **DENIES** Plaintiff's motion to proceed *in forma pauperis* on appeal (Dkt. No. 15).

SIGNED this 31st day of January, 2018.



Hilda Tagle
Senior United States District Judge

¹ Plaintiff's filing is styled as an appeal of the Magistrate Judge's recommendation to the District Court. Dkt. No. 18 at 1. The Court construes this filing as objections to the M&R.